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August 11, 1997

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 960786-TL

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Response to MCI Telecommunications Corporation's First Requests for Admissions Nos. 1-10, dated August 1, 1997. Please file these documents in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

J. Phillip Carver
J. Phillip Carver (22)

- ACK
- AFA
- APP
- CAF
- CMU *Beer*
- CTR
- EAS
- LE *2*
- LIN *5*
- OTR
- ROD
- SEC *1*
- WFO
- QTR

Enclosures

cc: All parties of record
A. M. Lombardo
R. G. Beatty
William J. Ellenberg II

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CERTIFICATE OF SERVICE
DOCKET NO. 960786-TL

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express and Hand Delivery* this 11th day of August, 1997 to the following:

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J. Phillip Carver (2X)

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of BellSouth)
Telecommunications, Inc.'s entry)
into InterLATA services pursuant)
to Section 271 of the Federal)
Telecommunications Act of 1996)

Docket No. 960786-TL

Filed: August 11, 1997

RESPONSE TO MCI TELECOMMUNICATION CORPORATION'S
FIRST REQUESTS FOR ADMISSION (No. 1-10)
TO BELLSOUTH TELECOMMUNICATIONS, INC.

Pursuant to Rule 25-22.034, Florida Administrative Code, and Rule 1.370,
Florida Rules of Civil Procedure, BellSouth Telecommunications, Inc. (BellSouth)
hereby serves its Response. References in these responses for admission to
statutory sections refer to the Telecommunications Act of 1996.

Please admit each of the following:

1. BellSouth has received at least one request for negotiation to obtain
access and interconnection from a potential provider of telephone exchange service
to residential and business subscribers in Florida.

Response: BellSouth admits that it has received requests from firms that
BellSouth believes are capable of providing telephone exchange service to
residential and business subscribers in Florida. Whether such firms are
genuine "potential" providers depends on business planning solely under the
control of the individual firms. Those plans and related entry strategies may
be changed at any time solely at the discretion of the individual firms, as
interexchange carrier press releases demonstrate. BellSouth is not privy to
those plans.

2. BellSouth has received at least one request for negotiation to obtain
access and interconnection from a potential provider of telephone exchange service
to residential and business subscribers in Florida which requested each of the items
in subsections (i) through (xiv) of Section 271(c)(2)(B).

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Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may be changed at any time solely at the discretion of the individual firms, as interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida and that negotiations over contractual provisions addressing subsections (i) through (xiv) of Section 271(c)(2)(B) have been requested.

3. At least one of the requests from a potential provider of telephone exchange service to residential and business subscribers in Florida for negotiation would, if implemented, satisfy the requirements of Section 271(c)(1)(A).

Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may be changed at any time solely at the discretion of the individual firms, as interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

BellSouth denies that the implementation of a request for negotiation to obtain access and interconnection satisfies Section 271(c)(1)(A). However, the implementation of a potential provider's business plan to provide facilities based telephone exchange service to business and residential subscribers would be relevant to satisfying the requirements of Track A.

BellSouth would point out that Section 271 uses the word "implemented" in Section 271(d)(3)(A)(i) in reference to Checklist obligations imposed under Section 271(c)(2), not in reference to obligations imposed by Section 271(c)(1), as "implemented" is being used in this request for admission. Thus, in certain statutorily-defined circumstances, BellSouth has an obligation to "fully implement" the Checklist set out in Section 271(c)(2). BellSouth may "fully implement" that Checklist by showing that it is ready to provide those items in a non-discriminatory manner consistent with its obligations under the Telecommunications Act of 1996. BellSouth may make

this showing through a statement of generally available terms and conditions that has taken effect under Section 252(f).

4. At least one of the potential providers of telephone exchange service to residential and business subscribers in Florida who requested negotiation to obtain access and interconnection which would, if implemented, satisfy the requirements of Section 271(c)(1)(a) did not fail to negotiate in good faith as required by Section 252.

Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may be changed at any time solely at the discretion of the individual firms, as interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

Upon reasonable inquiry, BellSouth can neither admit nor deny the good faith of any party to the negotiations described in this request for admission other than its own. Otherwise, denied for the reasons set out in Response 3.

BellSouth would point out that Section 271 uses the word "implemented" in Section 271(d)(3)(A)(i) in reference to Checklist obligations imposed under Section 271(c)(2), not in reference to obligations imposed by Section 271(c)(1), as "implemented" is being used in this request for admission. Thus, in certain statutorily-defined circumstances, BellSouth has an obligation to "fully implement" the Checklist set out in Section 271(c)(2). BellSouth may "fully implement" that Checklist by showing that it is ready to provide those items in a non-discriminatory manner consistent with its obligations under the Telecommunications Act of 1996. BellSouth may make this showing through a statement of generally available terms and conditions that has taken effect under Section 252(f).

5. BellSouth has entered into at least one agreement which has been approved by the Commission under Section 252(d) for access and interconnection with a potential provider of telephone exchange service to residential and business subscribers in Florida.

Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may

be changed at any time solely at the discretion of the individual firms, as interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

BellSouth admits that it has entered into at least one agreement which has been approved by the Commission under Section 252(d) for access and interconnection with a firm capable of providing telephone exchange service to residential and business subscribers in Florida.

6. Each of the items in subsections (i) through (xiv) of Section 271(c)(2)(B) is addressed in at least one of the agreements which has been approved by the Commission under Section 252(d) for access and interconnection between BellSouth and a potential provider of telephone exchange service to residential and business subscribers in Florida.

Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may be changed at any time solely at the discretion of the individual firms, as interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

BellSouth admits that each of the items in subsections (i) through (xiv) of Section 271(c)(2)(B) is addressed in at least one of the agreements which has been approved by the Commission under Section 252(d) for access and interconnection between BellSouth and a firm BellSouth believes is capable of providing telephone exchange service to residential and business subscribers in Florida.

7. At least one of the agreements which has been approved by the Commission under Section 252(d) between BellSouth and a potential provider of telephone exchange service to residential and business subscribers in Florida would, if fully implemented, result in access and interconnection that satisfies the requirements of Section 271(c)(1)(A).

Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may be changed at any time solely at the discretion of the individual firms, as

interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

BellSouth denies that the full implementation of an agreement which has been approved by the Commission under Section 252(d) satisfies Section 271(c)(1)(A). However, the implementation of a potential provider's business plan to provide facilities based telephone exchange service to business and residential subscribers would be relevant to satisfying the requirements of Track A.

BellSouth would point out that Section 271 uses the words "fully implemented" in Section 271(d)(3)(A)(i) in reference to Checklist obligations imposed under Section 271(c)(2), not in reference to obligations imposed by Section 271(c)(1), as "fully implemented" is being used in this request for admission. Thus, in certain statutorily-defined circumstances, BellSouth has an obligation to "fully implement" the Checklist set out in Section 271(c)(2). BellSouth may "fully implement" that Checklist by showing that it is ready to provide those items in a non-discriminatory manner consistent with its obligations under the Telecommunications Act of 1996. BellSouth may make this showing through a statement of generally available terms and conditions that has taken effect under Section 252(f).

8. At least one of the potential providers of telephone exchange service to residential and business subscribers in Florida which have entered into Commission-approved agreements with BellSouth for access and interconnection which would, if fully implemented, satisfy the requirements of Section 272(c)(1)(A) has not violated the terms of its agreement by failure to comply, within a reasonable period of time, with an implementation schedule contained in such agreement.

Response: BellSouth admits that it has received requests from firms that BellSouth believes are capable of providing telephone exchange service to residential and business subscribers in Florida. Whether such firms are genuine "potential" providers depends on business planning solely under the control of the individual firms. Those plans and related entry strategies may be changed at any time solely at the discretion of the individual firms, as interexchange carrier press releases demonstrate. BellSouth is not privy to those plans.

BellSouth denies that the full implementation of an agreement satisfies Section 271(c)(1)(A) as explained in Response 7. BellSouth denies that any firm capable of providing telephone exchange service to residential and

business subscribers in Florida has committed to any implementation schedule in an agreement with BellSouth for access and interconnection.

9. BellSouth is not eligible to seek interLATA authority in Florida under Section 271(c)(1)(B).


Response: BellSouth admits that, to the best of its current knowledge, that it is not eligible to seek interLATA authority in Florida under Section 271(c)(1)(B) because it believes that unaffiliated competing providers as described in Section 271(c)(1)(A) have requested access and interconnection from BellSouth as described in Section 271(c)(1)(A). If BellSouth is not eligible under Section 271(c)(1)(A), as it currently believes, then it would be eligible to seek interLATA authority in Florida under Section 271(c)(1)(B).


10. Assuming that BellSouth files a statement of generally available terms and conditions in Florida and such statement is either approved, or permitted to take effect, by the Commission, BellSouth still will not be eligible to seek interLATA authority in Florida under Section 271(c)(1)(B).

Response: BellSouth admits that eligibility Section 271(c)(1)(B) has basically two conditions. An effective statement of generally available terms and conditions is only one of those conditions. Thus, approval of BellSouth's statement, by itself, would not make BellSouth eligible under Track B in Florida.

Respectfully Submitted this 11th day of August, 1997.

BELLSOUTH TELECOMMUNICATIONS, INC.


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